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within thirty (30) days after service of the Complaint in the matter upon the last-served defendant; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. The Complaint contains allegations of negligence and “wantonness”. Complaint at pp. 14-16. The Complaint seeks damages in excess of \$25,000. Complaint, pp. 4. It is clear that Plaintiff is seeking damages greater than \$15,000.00.

4. The Plaintiff is a resident of Nashville, Davidson County, Tennessee.

5. The Defendant, Gregory Jenkins is a resident of St. Louis, St. Louis County, Missouri.

6. The Defendant, USF Holland, LLC, is a Delaware corporation whose principal place of business is located in Kansas City, Missouri.

7. The United States District Court for the Middle District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. A copy of this Notice of Removal is being served by United States mail and electronic mail on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Davidson County Circuit Court in Nashville, Tennessee, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

8. Defendant demands a jury to try this case.

WHEREFORE, Defendants, USF Holland, LLC and Gregory Jenkins, pray that this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders to effect the removal of this case from the Davidson County Circuit Court in Nashville, Tennessee, to this Court.

Respectfully submitted,

LEWIS THOMASON, P.C.

By: /s/ John R. Tarpley

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*Attorneys for Defendants USF Holland  
and Gregory Jenkins*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing NOTICE OF REMOVAL was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail and email. Parties may access this filing through the Court's electronic filing system.

Joseph C. Johnsen  
Morgan & Morgan- Nashville  
810 Broadway, Suite 105  
Nashville, TN 37203

This the 26<sup>th</sup> day of May, 2022.

/s/ John R. Tarpley